IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

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C.W.P NO. 18568 OF 2006

Date of decision : December 01, 2006

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Karamjeet Singh .....Petitioner

Vs.

State of Punjab & others .....Respondents

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CORAM: HON'BLE MR. JUSTICE VINEY MITTAL
HON'BLE MR. JUSTICE H.S BHALLA

Present: Mr. B.S Sra, Advocate for the petitioner(s).
Mr. T.S Dhindsa, Advocate for respondents no. 2 & 3.
Mr. Sukhdip Singh Brar, Additional Advocate General, Punjab for respondent no.4.

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Viney Mittal, J. (Oral)

At the outset, Sh. T.S Dhindsa, learned counsel appearing for Baba Farid University of Health Sciences, Kotkapura Road, Faridkot-respondent no.2, very fairly states that the controversy in the present case is squarely covered by a judgement of this Court in CWP No.5843 of 2004 (Aseempreet Kundi and another Vs. State of Punjab and others) decided on

March 8, 2006 in favour of the petitioner.

However, Sh. Dhindsa further states that since the examination form for the 2nd Year Professional Bachelor of Physiotherapy Course of the petitioner was not submitted by the Principal, Adesh College of Physiotherpy, Muktsar-respondent no.4, therefore, the University could not have taken any further proceedings in the matter.

Sh. Sukhdip Singh Brar, learned Additional Advocate General, Punjab appearing for respondent no.4 also states that respondent no.4 shall now forward the examination form of the petitioner forthwith.

In view of the aforesaid statement made by the learned counsel for the respondents, we dispose of the present writ petition in terms of the Aseempreet Kundi's case (Supra) and direct respondent no.4 to forward the examination form of the petitioner forthwith to the Baba Farid Uiversity of Health Sciences-respondent no.2 and thereafter respondent-University is also directed to issue roll number to the petitioner and allow him to take examination of Second Year Professional Bachelor of Physiotherapy Course along with the supplementary examination of Ist year to be conducted by the respondent-University.

At this stage, learned counsel appearing for the petitioner has informed the Court that the aforesaid examination is to start w.e.f from December 4, 2006. Keeping in view the aforesaid facts and circumstances of the case, we direct that the petitioner shall be permitted to appear in the aforesaid examination provisionally on the basis of the certified copy of the present order passed by this Court, which shall be treated as an Admit Card.

In the meantime, the requisite process shall be completed by the respondents as directed above.

A copy of this order be given under the signatures of the Special Secretary attached to the Court.

(VINEY MITTAL)
JUDGE

December 01, 2006
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(H.S BHALLA)
JUDGE